

ISMAIL J. RAMSEY (CABN 189820)  
United States Attorney  
MICHELLE LO (NYRN 4325163)  
Chief, Civil Division  
SHINING J. HSU (CABN 317917)  
Assistant United States Attorney  
450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102-3495  
Telephone: (415) 436-7022  
Fax: (415) 436-6570  
Email: Shining.Hsu@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC EDWARD PLATA,

Defendant,

TRANSAMERICA RETIREMENT SERVICES,

Garnishee.

CASE NO. CR-03-0151 VRW

**WRIT OF CONTINUING GARNISHMENT  
(RETIREMENT ACCOUNT)**

TO: Transamerica Retirement Services  
Attn: Compliance  
6400 C St. SW  
Cedar Rapids, IA 52499

//

//

WRIT OF CONTINUING GARNISHMENT  
Case No: CR-03-0151 VRW

1           **YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE**  
2 **UNITED STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE**  
3 **DEFENDANT-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.**

4           The name, last known address and last four digits of the social security number of the person  
5 who is the defendant-judgment debtor (“defendant”) in this action and whose property is subject to this  
6 Writ are as follows:

7                     Eric Edward Plata  
8                     954 Pentwood Rd., Apt. B  
9                     Bel Air, MD 21014  
                      Social Security Number (last four digits): XXX-XX-8462

10           This Writ has been issued at the request of the United States of America to enforce the collection  
11 of a criminal judgment entered in favor of the United States against the defendant for a debt in the  
12 original amount of \$120,200.00. As of March 8, 2024, there is a balance due of approximately  
13 \$108,997.44, plus interest. Interest accrues at the rate of 1.29%. The United States is entitled to recover  
14 a surcharge of ten percent (10%) of the amount of the balance \$10,899.74, pursuant to 28 U.S.C.  
15 § 3011(a). Thus, the total amount sought by this action is \$119,897.18.

16           The following are the steps that you must take to comply with this Writ. If you have any  
17 questions, you should consult with your attorney.

18           1. Pursuant to 28 U.S.C. § 3205(c)(2)(F), if you have in your custody, control, or possession  
19 any property of the defendant in which the defendant has a substantial nonexempt interest, or if you  
20 obtain custody, control, or possession of such property while this Writ is in effect, you must  
21 immediately withhold such property from the defendant and retain it in your possession until you  
22 receive instructions from the Court which will tell you what to do with the property.

23           2. Pursuant to 28 U.S.C. § 3205(c)(2)(E), you are required to answer this Writ within **10**  
24 **days** after service of this Writ upon you. You must answer the Writ even if you do not have in your  
25 custody, control, or possession, any property of the defendant. Pursuant to 28 U.S.C. § 3205(c)(4), your  
26 answer must state, under oath, the following information:

27 //

1           a.       Whether or not you have in your custody, control, or possession, any property  
2 owned by the defendant in which the defendant has a substantial nonexempt interest, including  
3 nonexempt disposable earnings;

4           b.       a description of such property and the value of such property;

5           c.       a description of any previous garnishments to which such property is subject and  
6 the extent to which any remaining property is not exempt; and

7           d.       the amount of the debt you anticipate owing to the defendant in the future and  
8 whether the period for payment will be weekly or another specified period.

9           For your convenience, a form which addresses the above-requested information is attached and  
10 may be used to answer the Writ.

11           3.       After you complete the answer under oath, pursuant to 28 U.S.C. § 3205(c)(2)(E) and  
12 (c)(4), **within ten (10) days** after service of this Writ upon you, you must **mail or deliver** the original  
13 answer bearing the original signature of the person preparing the answer to the Court at the following  
14 address:

15                               Clerk, United States District Court  
16                               450 Golden Gate Avenue, Box 36060  
17                               San Francisco, CA 94102

18           At the same time you mail or deliver the original answer to the Court, you must also **mail or**  
19 **deliver** a copy of the original answer to both the defendant and attorney for the United States at the  
20 following respective addresses:

21                               Eric Edward Plata  
22                               954 Pentwood Rd., Apt. B  
23                               Bel Air, MD 21014

24                               Shining J. Hsu, Assistant U.S. Attorney  
25                               450 Golden Gate Avenue, 9th Floor  
26                               P.O. Box 36055  
27                               San Francisco, CA 94102

28           Please note that the attached form answer contains a **certificate of service** which needs to be  
completed by the person mailing the copies of the answer to the defendant and the attorney for the  
United States, and which needs to be filed with the Court along with the answer.

1 IF YOU FAIL TO ANSWER THIS WRIT OR FAIL TO WITHHOLD PROPERTY IN  
2 ACCORDANCE WITH THIS WRIT, THE UNITED STATES MAY PETITION THE COURT  
3 FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER THE  
4 WRIT AND TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT BEFORE  
5 THE APPEARANCE DATE. IF YOU FAIL TO APPEAR OR DO APPEAR AND FAIL TO  
6 SHOW GOOD CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT  
7 WILL ENTER A JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEFENDANT'S  
8 NONEXEMPT INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE  
9 EARNINGS). THE COURT MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO  
10 THE UNITED STATES AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN  
11 THE TIME SPECIFIED HEREIN AND IF THE UNITED STATES FILES A PETITION  
12 REQUIRING YOU TO APPEAR.

13  
14 MARK B. BUSBY,  
15 Clerk of Court  
16 United States District Court  
for the Northern District of California

17  
18 Dated: 03/15/2024

19 By:  W. Noble  
20 Deputy Clerk

